

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE GARDEN PARK DISTRICTS; AMENDING VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING FOR REVISED DEVELOPMENT STANDARDS, PARKING, ACCESS, AND LANDSCAPING REQUIREMENTS WITHIN THE GARDEN PARK DISTRICTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 39-656 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-656. Development standards.

(a) *Area requirements:*

(1) Lot size.

GP-1: Four thousand ~~eight hundred~~ (4,800 4,000) square feet (~~40'x120'~~) minimum

GP-2: No minimum

...

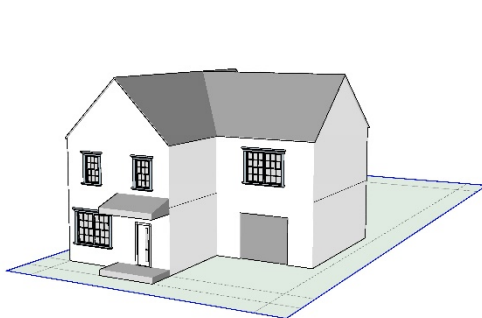
Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

(c) *Building form typologies.*

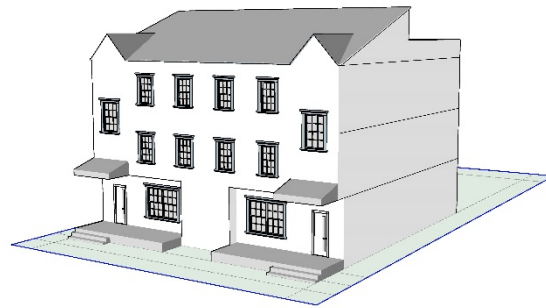
(1) Permitted Building Typology by District:

Building Typology Type	Districts	
	GP-1	GP-2
Single family detached dwelling	P	NP
Townhouse/villa	P	P
Multifamily residential dwelling (three (3) or more dwelling units; maximum height by district)	P	P
Mixed use, <u>residential</u> , <u>or</u> commercial (three (3) stories maximum)	NP	P
Mixed use, <u>residential</u> , <u>or</u> commercial (six (6) stories maximum)	NP	P

(2) Basic illustrative models of the permitted building typologies are depicted below:



Single Family Detached



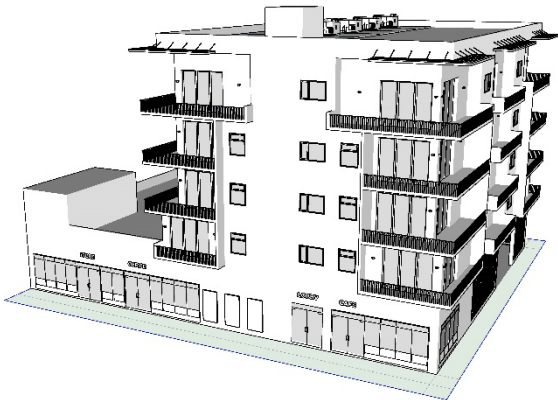
Townhouse



Multifamily Residential Building



Mixed use, residential or commercial
3 Stories Maximum



Mixed use, residential or commercial
6 Stories Maximum

(d) *Maximum permitted height/stories.*

...

(2) GP-2:

a. Buildings shall be at least two (2) stories and no more than ~~five~~ six (5 6) stories.

b. Heights:

...

2. Thirty-five foot (35') maximum height for any portion of a buildings and structures within fifty feet (50') of a property zoned RS-1 to RS-5 6.

47 3. Buildings greater than thirty-five feet (35') in height or
48 three (3) stories that are contiguous to a property zoned RS-1
49 to RS-5 6 shall have a step-back beginning on the third (~~3rd~~)
50 (3rd) story of at least eight feet (8').
51 ...
52 (e) *Setbacks and build-to line.*
53 ...
54 (3) Interior side yard setback:
55 ...
56 b. GP-2:
57 ...
58 2. If contiguous to GP-1 or RS-1 to RS-5 6, then shall be a
59 minimum of ten feet (10').
60 (4) Allowable encroachments.
61 a. In GP-1, unenclosed covered front porches may encroach
62 eight feet (8') into the build-to line; steps shall not be counted for the
63 purposes of calculating the eight feet (8'). Balconies may encroach
64 five feet (5') into any required setbacks or build-to lines. Balconies
65 shall be prohibited along façades that are contiguous to, and face, a
66 property being used or zoned for use as a single family detached
67 residential property.
68 ...

(g) *Building frontage.* Building frontages along arterial and collector roads shall be a minimum of ~~sixty~~ fifty percent (~~60~~ 50%) of the width of the lot frontage, except as required to provide for minimum requirements related to vehicular and pedestrian access to and from the property; provided, however, that all buildings shall have at least ~~fifty~~ forty percent (~~50~~ 40%) of the frontage along the build-to line.

(h) *Building size and mass.* Buildings shall be constructed as variable masses with applied horizontal and vertical extrusions to create the desired building form.

(1) The continuous unarticulated façade of a building shall not occupy more than one hundred fifty feet (150') of continuous frontage along any street.

...

(m) *Fencing.* Where permitted within a District, fencing and walls shall be designed and sited to ensure visibility ~~from~~ between the building and street frontages, while still providing the opportunity to secure property as further provided below.

...

(3) No portion of this section shall be construed to prohibit railing/fencing ~~associated with~~ constructed as part of a front patio, stoop, or landing of a residential unit. Such construction shall be consistent with permitted materials.

...

Section 2. Section 39-657 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-657. Parking.

91 Except as set forth herein, offstreet parking and loading shall be provided in
92 accordance with the standards set forth in Article XII of Chapter 39 of the Code.

93 (a) *Amount of parking.* The minimum parking shall be calculated according to
94 Section 39-228 of the Code, except as provided below:

95 . . .

96 It is the responsibility of the applicant to demonstrate the parking plan is in
97 compliance with the requirements of the Americans with Disabilities Act and this Code
98 including, but not limited to, the provision of sufficient offstreet parking for the business
99 operations, safe and efficient ingress and egress to the site, and adequate internal traffic
100 circulation. ~~At no point shall the number of offstreet parking spaces be fewer than one (1)~~
101 ~~space per residential unit, exclusive of any space(s) dedicated for nonresidential parking.~~

102 . . .

103 (e) *Parking dimensions.* Parking dimensions shall comply with Section 39-217
104 of the Code, except as provided herein:

105 . . .

106 (2) Parallel parking spaces (onsite or on-street) shall be a minimum of
107 seven feet (7') by twenty-two feet (22'), exclusive of the curb or drainage
108 valley, and drive aisles shall be a minimum of fifteen feet (15') wide. Parallel
109 parking shall include a minimum of one (1) landscape island for every
110 three (3) contiguous parking spaces.

111 . . .

(g) *Ground level parking, understory parking, and parking structures.* Ground level parking or parking structures may constitute no more than thirty-five percent (~~30~~ 35%) of a development's roadway frontage on an arterial or collector road. Ground level parking and parking structures may front rights-of-way that are less than forty feet (40') in width. All other parking structures and understory parking shall only be permitted behind an active building liner with a minimum depth of twenty feet (20') of habitable building space. Notwithstanding the foregoing, detached single family homes shall be permitted to have a carport or enclosed garage that faces a street .

Section 3. Section 39-658 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-658. Access.

Except as provided herein, offstreet parking and loading shall be provided in accordance with the standards set forth in Article XII of Chapter 39 of the Code.

(a) *Vehicular access.* Where the entire frontage between two (2) avenues along NW 1st Street, inclusive of lots to the north and south, is being redeveloped, traffic flow along NW 1st Street shall be limited to eastbound only, except for that portion between NW 27th Avenue and 27th Terrace, which may be westbound only. All other areas within the Districts shall have two-way traffic. Each development shall be permitted curb cuts as provided below.

...

Section 4. Section 39-659 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-659. Landscaping.

(a) *Required landscaping.* Except as provided in this section and where limited by the regulations of this article, development shall comply with the requirements of Article VIII of Chapter 39 of the Code to the greatest extent possible.

...

(3) All landscaped areas, including those within the rights-of-way, shall include an irrigation system with a rain sensor.

...

(c) *Street trees.* Street trees (i.e., trees placed within a right-of-way) shall have a minimum trunk caliper of five inches (5") and shall be spaced at a maximum of twenty-five feet (25') average on center, unless integrated with parking or silva cells, or similar technology is utilized. All required street trees shall be hardwood.

(1) Street trees shall be planted in one (1) or more of the following methods:

- a. ~~Tree grates~~ Sidewalk cutouts. ~~Tree grates~~ Sidewalk cutouts shall mean areas where trees are planted within openings of the sidewalk. Openings shall be covered by ~~permanently installed grates~~ permeable surfaces that may include, but are not limited to, brick pavers, smoothed rock, or various resin bond surfaces, which are flush with the sidewalk and perforated to permit natural irrigation or similar technology. Tree grates shall be prohibited.

...

(3) Local roads. Where possible, developments adjacent to local roads shall provide an eight-foot (8') to ten-foot (10') sidewalk along the frontage. An

easement may be required to achieve the desired sidewalk width in order
to accommodate landscaping within the rights-of-way.

Section 5. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 6. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

174 Section 7. Effective Date.

175 This Ordinance is effective as of the date provided by law.

ENACTED June 18, 2024

FILED WITH THE DEPARTMENT OF STATE June 20, 2024

EFFECTIVE June 20, 2024

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 05/02/2024
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 05/02/2024
Maite Azcoitia (date)
Deputy County Attorney

176 AIK/gmb
177 Garden Park Districts Amendment Ordinance
178 06/20/2024
179 #60049-0229

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